

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application.

Claims 1-21 are now present in this application. Claims 1-3, 12, 20 and 21 are independent. Claims 1-3 are amended. Claims 20 and 21 are added. No new matter is involved.

Reconsideration of this application is respectfully requested.

Allowed and Allowable Subject Matter

The Examiner states that claims 12-19 are allowed and that claims 2-11 would be allowable if rewritten in independent form.

Applicant thanks the Examiner for this indication of allowed and allowable subject matter in this application.

With respect to claims 2-11, Applicant has chosen to re-write claims 2 and 3 in independent form. Claims 4-11 depend from claim 3. Accordingly, claims 2-11 are allowable.

Personal Interview

Applicant acknowledges with appreciation the courtesies extended by Examiners Erdem and Abraham to Applicant's undersigned representative during the personal interview conducted on July 29, 2005. During that interview, agreement was reached concerning language to amend claim 1 in a number of different ways, to patentably distinguish over Lim. Applicant has amended claim 1 and added claims 20 and 21 to alternatively recite such features.

Rejection under 35 U.S.C. §102

Claim 1 stands rejected under 35 U.S.C. §102(e) as being unpatentable over U.S. Patent No. 6,448,579 to Lim et al. (hereinafter, “Lim”). This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

A prior art reference anticipates the subject of a claim when the reference discloses every feature of the claimed invention, either explicitly or inherently (see, *In re Paulsen*, 30 F.3d 1475, 1478, 1479, 31 USPQ2d 1671, 1675 (Fed. Cir. 1994), *In re Spada*, 911 F.2d 705, 708, 15 USPQ2d 1655, 1657 (Fed. Cir. 1990), *Hazani v. Int'l Trade Comm'n*, 126 F.3d 1473, 1477, 44 USPQ2d 1358, 1361 (Fed. Cir. 1997) and *RCA Corp. v. Applied Digital Data Systems, Inc.*, 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984)).

During patent examination the PTO bears the initial burden of presenting a *prima facie* case of unpatentability. *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992); *In re Piasecki*, 745 F.2d 1468, 1472, 223 USPQ 785, 788 (Fed. Cir. 1984). If the PTO fails to meet this burden, then the Applicant is entitled to the patent.

Claim 1 recites a combination of features, including: “wherein the capacitor electrode is a different electrode than the pixel electrode.” Applicant respectfully submits that Lim does not disclose this feature.

Furthermore, during the aforementioned interview, Examiners Erdem and Abraham agreed that Claim 1, as amended, is patentable over Lim.

Reconsideration and withdrawal of this rejection of claim 1 is respectfully requested.

New Claims 20 and 21

New claim 20 positively recites a combination of features including that the gate line is directly connected, via a contact hole passing through the at least two storage capacitors to a capacitor electrode of only one of the at least two storage capacitors. Lim's gate line 206 is directly connected to a storage capacitor of both storage electrodes. Both Examiners Erdem and Abraham agreed that claim 1 modified by adding this feature patentably distinguishes over Lim.

Accordingly, Applicant respectfully submits that claim 20 patentably defines over Lim.

New claim 21 recites a combination of features including that the gate line is directly connected, via a contact hole passing through the at least two storage capacitors to the capacitor electrode which is the uppermost electrode. Lim does not disclose this feature. Instead, in Lim, the uppermost electrode is pixel electrode 218 and gate line 206 is not directly electrically connected with uppermost pixel electrode 218. Accordingly, Lim does not disclose or suggest this claimed subject matter.

Applicant's undersigned representative and Examiners Erdem and Abraham agreed, during the aforementioned interview, that this positively recited feature was not disclosed by Lim.

Accordingly, Applicant respectfully submits that claim 21 patentably defines over Lim.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejection of claim 1 and the objections to claims 2-11 be withdrawn, and claims 1-11 and

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20 be allowed along with already allowed claims 12-19. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Robert J. Webster, Registration No. 46,472, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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